

Amendments to Senate Bill No. 350  
1st Reading Copy

Requested by Senator Gary Perry

For the Senate Judiciary Committee

Prepared by Valencia Lane  
February 7, 2007 (12:45pm)

1. Page 1, line 10 through line 11.

**Following:** "if" on line 10

**Strike:** remainder of line 10 through "offense," on line 11

2. Page 1, line 12.

**Following:** "device"

**Strike:** "that is capable of contacting law enforcement or medical assistance"

**Insert:** "to obstruct, prevent, or interfere with:

(a) the report to any law enforcement agency of any actual criminal offense;

(b) the report to any law enforcement agency of any actual bodily injury or property damage; or

(c) a request made to any governmental agency or to any hospital, doctor, or other medical provider for necessary ambulance or emergency medical assistance"

3. Page 1, line 15.

**Following:** "(3)"

**Strike:** "(a)"

4. Page 1, line 16.

**Following:** "device"

**Strike:** "before, during, or after the commission of a misdemeanor"

5. Page 1, line 18 through line 20.

**Strike:** subsection (b) in its entirety

- END -

(OVER)

## SENATE BILL NO. 350

INTRODUCED BY G. PERRY

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF CRIMINAL DESTRUCTION OF OR TAMPERING WITH A COMMUNICATION DEVICE; AND PROVIDING PENALTIES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Criminal destruction of or tampering with communication device. (1)**

A person commits the offense of criminal destruction of or tampering with a communication device if ~~before, during, or after the commission of a criminal offense,~~ the person purposely or knowingly destroys or tampers with a telephone or other communication device ~~that is capable of contacting law enforcement or medical assistance.~~

(2) A person destroys or tampers with a communication device by making the communication device unusable or inoperable, by interrupting its use, or by making it inaccessible.

(3) ~~(a)~~ A person convicted of the offense of criminal destruction of or tampering with a communication device ~~before, during, or after the commission of a misdemeanor~~ shall be fined an amount not to exceed \$1,000 or imprisoned in the county jail for a term not to exceed 6 months, or both.

~~(b) A person convicted of the offense of criminal destruction of or tampering with a communication device before, during, or after the commission of a felony shall be fined an amount not to exceed \$50,000 or imprisoned in the state prison for a term not to exceed 10 years, or both.~~

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 45, chapter 6, part 1, and the provisions of Title 45, chapter 6, part 1, apply to [section 1].

- END -

to obstruct, prevent, or interfere with:

(a) the report to any law enforcement agency of any actual criminal offense;

(b) the report to any law enforcement agency of any actual bodily injury or property damage; or

(c) a request made to any governmental agency or to any hospital, doctor, or other medical provider for necessary ambulance or emergency medical assistance